



Virg Bernero, Mayor

LANSING POLICE DEPARTMENT

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Mike Yankowski, Chief

Internal Board of Review - In-Custody Death of Christopher Phillips

At the direction of Chief Michael Yankowski an Internal Board of Review was convened to review the April 27, 2015 death of Christopher Phillips. Phillips died while in-custody at the LPD Detention Center. The related autopsy report confirms there were no visible signs of internal or external injuries found on the person of Phillips. In addition, toxicology reports suggest a significantly elevated concentration of Oxycodone and the presence of Alprazolam, Pregabalin and Marijuana detected in Phillip's body. Ingham County Chief Assistant Prosecutor, Lisa McCormick, reported that no criminal charges would be forthcoming regarding this matter.

The Internal Review Board was comprised of Captain Daryl Green, Captain Jim Kraus, Captain Darin Southworth, City Attorney Legal Advisor Kristin Simmons, Lieutenant Traci Ruiz, Sergeant Katie Diehl, and Detention Officer Robert Davis.

Records Examined:

1. Internal Review Board Memorandum.
2. LPD criminal incident reports; LLA150427021522, LLA150427021534, Cell Check Reader Report, Booking Report, and Screening Form.
3. LPD Office of Internal Affairs report, IA15-0028.
4. Reports from Michigan State Police Report – 010-0000364-15 (DB), Ingham County Prosecutor, Sparrow Forensic Autopsy Report and Ingham County Medical Examiner
5. Citation G390921 and LEIN paperwork.
6. Video associated with Phillip's Detention Center custody.
7. LPD Operating Procedures; 700-28 (Cell Checks), 700-31 (Alert Review at Booking), 700-37 (Detainee Property), 700-38 (Cell Assignment/Transfer), 700-41 (Detention Officer Responsibilities), 700-51 (Detainee Food and Clothing), 500-4 (Detention of Adults/Juveniles) and 600-39 (Police Employee Involved Critical Incident).
8. Detention Center Floor Plan.

Incident Summary:

- On April 27, 2015 (13:35 hrs.) Christopher Lee Phillips was stopped for speeding and arrested without incident for Driving While License Suspended by Sergeant Leith Curtis. Officer Bradley Hough transported Phillips to the LPD Detention Center where he was booked.



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- During the booking process (13:57 hrs.) Phillips was questioned whether he was under the influence of alcohol and/or drugs. Phillips responded that he was not under the influence of alcohol and/or drugs. Phillips was cooperative throughout the booking process and none of the involved officers report any indicators that suggest Phillips was being untruthful concerning his alcohol and/or drug use. Phillips appeared sober.
- During the booking process Phillips was provided several sandwiches before being escorted to his cell (#3 at 14:15 hrs.).
- Video suggests that Phillips falls to the floor in cell #3 (14:54) and immediately returns to his feet before lying down on the floor.
- Cell checks of #3 were performed by Detention Officer Ouderkirk (14:35, 15:04, and 16:29 hrs.) and Lead Detention Officer Kelley (15:45 hrs.).
- Detention Officer Ouderkirk found Phillips unresponsive at 17:11 hours and staff immediately notified LFD. Lead Detention Officer Kelley began CPR at 17:12 hours. LFD arrived on scene at 17:18 hours and transported to Phillips to Sparrow Hospital where he was pronounced dead at 17:44 hours.

Summary of Findings:

- The initial contact, arrest, and booking of Phillips were all consistent with LPD policies and procedures.
- Video footage of Phillips entering the Headquarters Garage and Prisoner/Inmate Elevator support the notion that Phillips appeared sober. During the Booking Screening process Phillips answered, "no" when questioned if he were under the influence of alcohol and/or drugs.
- Arrest and booking interactions with Phillips provided no indication of him being under the influence of alcohol and/or drugs. If observed, the suggestion of alcohol/drug overdose would have triggered a different in-custody care response.
- Staff response to an unresponsive Phillips was proper and crisis leadership displayed during CPR rescue efforts displayed proper emergency medical treatment.
- LPD command leadership's decision to contact Michigan State Police for an outside investigation was proper and consistent with policy.
- LPD policies and procedures are sufficient for proper handling of such an event. Phillips death is the result of voluntary ingestion of multiple drugs.

Recommendations:

- Detention staff received drug intoxication training from Dr. Dery of Sparrow as a result of this incident.
- Update to LPD policies for the purpose of increasing cell check awareness.



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- Increase the number of Cell Block Security Access Control Card Readers from one (1) to six (6). Detention Officers will be required to electronically activate all six (6) security access control readers during requisite cell checks. This will result in increased situational awareness of inmate welfare.
- Update the inmate Screening Form in the VisionJail system.
- Use technology to create an updated medical risk board.

Conclusion:

The Internal Board of Review concludes that the officers' actions during this incident were not responsible for the death of Christopher Phillips. The inherent nature of human behavior in a detention or lock-up setting is unpredictable and dangerous due to heightened incidence of emotional instability, chemical imbalance, and substance influence in the hours following arrest. Police and Detention Officers must work together to mitigate future in-custody deaths. We are confident this can be furthered through increased chemical influence detection training and modifications to our cell check policy.